

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

E.S. VOGT on behalf of themselves and other
similarly situated,

Plaintiffs,

v.

AMERGY SOLAR, INC.

Defendant.

Civil Action No. 1:16-cv-12189-DPW

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure and Rule 68.2 of the Local Rules of the United States District Court for the District of Massachusetts, Plaintiff E.S. Vogt (“Vogt”) and Defendant Amergy Solar, Inc. (“Amergy”), by and through their undersigned attorneys, respectfully submit this joint Stipulation of Dismissal with prejudice and without costs of all of Vogt’s claims against Amergy in the above-captioned action.

Dated: May 16, 2017

Respectfully submitted,

By: /s/ Anthony I. Paronich

Edward A. Broderick
Anthony I. Paronich
Broderick @ Paronich P.C.
99 High Street, Suite 304
Boston, MA 02110
(617) 738-7080
ted@broderick-law.com
Anthony@broderick-law.com

Matthew P. McCue
The Law Office of Matthew P. McCue
1 South Avenue, Third Floor
Natick, MA 01760
(508) 655-1415
mmccue@massattorneys.net

Attorneys for Plaintiffs

By: /s/ W. Daniel Deane

W. Daniel Deane (BBO # 568694)
NIXON PEABODY LLP
900 Elm Street, 14th Floor
Manchester, NH 03101
(603) 628-4047
ddeane@nixonpeabody.com

Troy K. Lieberman (BBO # 681755)
Julianna Malogolowkin (BBO #693320)
Nixon Peabody LLP
100 Summer Street
Boston, Massachusetts 02110
Tel: 617-345-1000
Fax: 617-345-1300
tlieberman@nixonpeabody.com
jmalogolowkin@nixonpeabody.com

Attorneys for Defendant

Dated: _____, 2017
Boston, Massachusetts

SO ORDERED:

UNITED STATES DISTRICT JUDGE